

September 27, 2022

VIA IZIS

Zoning Commission of the  
District of Columbia  
441 4<sup>th</sup> Street, NW, Suite 200-S  
Washington, DC 20001

Re: Z.C. 06-22A  
Modification of Consequence at Square 705 Lots 804 and 805

Dear Members of the Zoning Commission:

On July 24, 2020, Events DC, the applicant in the above-referenced case (the “Applicant”) applied for a modification of consequence to modify certain conditions in Z.C. Order No. 06-22 (the “Order”) to: (i) reduce the requirement to build additional retail space around the perimeter of the Nationals Park, and (ii) to impose a time limit for filing a building permit to build-out existing retail space along the First Street, SE side of Nationals Park for retail, service, entertainment, or arts uses. The Zoning Commission (the “Commission”) is currently scheduled to consider the Applicant’s request at its meeting on September 29, 2022.

As discussed more thoroughly in the Applicant’s initial statement, on July 6, 2006, the Commission approved Nationals Park subject to conditions, including the construction of 46,000 square feet of gross floor area (“GFA”) around the perimeter of the stadium, primarily along First Street, SE. However, due to construction cost escalation, funding constraints, and other factors, the Applicant was unable to construct the entire amount of retail space required under the Order. Consequently, the stadium has had to operate under a temporary certificate of occupancy that has been renewed a number of times over several years. As currently constructed, the stadium contains approximately 17,304 GFA of retail space along First Street, SE.

To obtain a permanent certificate of occupancy for the stadium from the D.C. Department of Consumer and Regulatory Affairs, the Applicant is requesting to modify Conditions 1 and 2 of the Order, which includes a requirement that the Applicant submit for a building permit to build out the existing retail space along First Street, SE within six months of the Commission’s approval of the requested modification.

At the suggestion of the Office of Planning, the Applicant has assembled the attached drawings to better depict the location of existing retail space along First Street, SE, and how it relates to the amount of retail space that was approved under the Order. Sheets 1 and 2 of the

attached are from the Commission’s record for the stadium (Z.C. Case No. 06-22), and show illustrative renderings of the “Option 1” retail and the approved expanded “Option 2” retail for along First Street, SE. As discussed in the initial modification application, approximately 17,000 GFA of retail space was constructed along First Street, SE, but the additional retail space that was to extend into the open space along First Street, SE was not built. Sheet 3 of the attached shows the location of the existing retail space over an as-built drawing of the stadium. Sheet 4 shows a comparison of the approved Option 2 retail and the existing [as-built] retail along First Street, SE. As shown in the comparison, the additional retail in Option 2 was to be accomplished by extending the retail space shown in Option 1 out to the property line along First Street, SE.

The Applicant has engaged the services of a retail broker. Based on preliminary feedback from the broker, the Applicant is confident that the retail market and surrounding neighborhood are now strong enough to support build out of the existing retail space along First Street. According to the broker, the large amount of potential outdoor retail / dining area adjacent to the existing retail space will greatly improve its marketability given the continued strong demand for outdoor seating / dining area in the post-pandemic environment. The Applicant is excited about the potential this space has to contribute to the continued growth and vitality of the area immediately surrounding the stadium, and as a link between the waterfront and the larger Capitol Riverfront neighborhood.

We appreciate your attention to this matter.

Respectfully submitted,  
GOULSTON & STORRS PC

/s/  
Allison C. Prince, Esq.

Enclosure

**Certificate of Service**

I hereby certify that copies of the foregoing document and attachments were sent to the following by email on September 27, 2022:

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/s/ \_\_\_\_\_

Allison C. Prince, Esq.